

27



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,530	06/24/2003	Kimihide Takahashi	Q76183	9526

23373 7590 08/03/2006

SUGHRUE MION, PLLC
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, DC 20037

EXAMINER

MADDEN, GREGORY VINCENT

ART UNIT	PAPER NUMBER
----------	--------------

2622

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/601,530

Applicant(s)

TAKAHASHI, KIMIHIDE

Examiner

Gregory V. Madden

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/24/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Terane (U.S. Pat. 6,812,971).

First, considering **claim 1**, the Terane reference teaches a digital camera system comprising a digital camera (1) and a cradle (stand 18) on which the camera is mounted, wherein the cradle comprises a movable portion (rotating table 103), a signal generating device which generates a command signal for changing functions of the digital camera according to a position of the movable portion (mounting direction signal is sent from lower unit 102b to upper unit 102a to determine mounting direction), a signal transmitting device (connection 20) which transmits the command signal generated by the signal generating device to the digital camera. Further, the digital camera (1) comprises a signal receiving device (connection 4) which receives the command signal generated according to the position of the movable portion of the cradle, and a mode control device (CPU 41) which changes operation modes of

Art Unit: 2622

the digital camera according to the command signal transmitted from the cradle. Please refer to Figs. 2, 5, 6, and 19, Col. 7, Lines 13-39, and Col. 22, Line 29 – Col. 24, Line 49.

As for **claim 2**, Terane teaches a cradle (stand 18) on which a digital camera (1) is mounted, the cradle comprising a movable portion (rotating table 103), a signal generating device which generates a command signal for changing functions of the digital camera according to a position of the movable portion (mounting direction signal is sent from lower unit 102b to upper unit 102a to determine mounting direction), and a signal transmitting device (connection 20) which transmits the command signal generated by the signal generating device to the digital camera. Again, refer to Figs. 2, 5, 6, and 19, Col. 7, Lines 13-39, and Col. 22, Line 29 – Col. 24, Line 49.

In regard to **claim 3**, the limitations of claim 2 are shown above, and Terane further discloses that the movable portion (rotating table 103) comprises a camera mounting unit (upper unit 102a as shown in Fig. 19) on which the digital camera (1) is mounted (See Fig. 19 and Col. 22, Line 29 – Col. 24, Line 49).

Regarding **claim 4**, the Terane reference teaches the limitations of claim 3 above, and Terane also shows that the cradle (stand 18) comprises a leg portion (lower unit 102b) which supports the camera mounting unit (upper unit 102a), wherein the camera mounting unit is coupled to the leg portion through a movable system (rotating table 103). Terane shows this limitation in Fig. 19.

Considering **claim 5**, the limitations of claim 4 are taught above, and Terane further discloses that the movable system (rotating table 103) enables the camera mounting unit (upper unit 102a) to move relatively to the leg portion (lower unit 102b), and a moving style of the camera mounting unit (102a) is rotating with respect to the leg portion. See Fig. 19 and Col. 22, Line 29 – Col. 24, Line 49.

As for **claim 6**, Terane teaches the limitations of claim 5 above, and the Terane reference further shows that the movable system (rotating table 103) enables the movable portion to move in a predetermined moving range. For example, the rotating table 103 rotates so as to allow either the front or

Art Unit: 2622

the back side of upper unit 102a to face the front of the lower unit 102b, which corresponds to a 180 degree rotation. Please see Col. 22, Lines 29-38.

In regard to **claim 7**, the limitations of claim 2 are taught above, and the Terane reference teaches that the cradle (stand 18) further comprises a communications interface (USB terminal 52 and video output 51) for connection and communications with external equipment (i.e. a PC or TV), wherein the digital camera is connected to communicate with the external equipment through the cradle by mounting the digital camera on the cradle. Terane teaches these limitations in Fig. 19 and Col. 11, Lines 52-56.

Regarding **claim 8**, Terane discloses the limitations of claim 7 above, and Terane further teaches that the signal generating device generates a signal for switching functions of the digital camera for the external equipment (i.e. a PC) connected for communications through the cradle. For example, when it is determined that the camera is mounted in a certain direction on the cradle, the operation mode is changed from a reproduction mode to a PC communication mode. See Col. 12, Lines 50-56.

Next, considering **claim 9**, the Terane reference teaches a digital camera (1) capable of being mounted on a cradle (stand 18), the digital camera comprising a signal receiving device (connection 4) which receives the command signal generated according to the position of the movable portion of the cradle, and a mode control device (CPU 41) which changes operation modes of the digital camera according to the command signal obtained through the signal receiving device. Please refer to Figs. 2, 5, 6, and 19, Col. 7, Lines 13-39, and Col. 22, Line 29 – Col. 24, Line 49.

As for **claim 10**, the limitations of claim 9 are taught above, and Terane also teaches that the operation modes are changed according to the command signal when the digital camera is mounted on the cradle and powered up. Note that the operation modes are selected only when the power supply of the camera is on. Please refer to Col. 11, Line 61 – Col. 12, Line 6, as well as Fig. 7.

Finally, regarding **claim 11**, again the limitations of claim 9 are set forth above, and Terane discloses that the digital camera comprises a charge control device which, when the digital camera is

Art Unit: 2622

mounted on the cradle with the digital camera being powered down, automatically sets the charge mode where the battery in the digital camera is charge by power supplied through the cradle. See Col. 12, Lines 3-12.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terane (U.S. Pat. 6,812,971) in view of Nishimura et al. (U.S. Pat. 5,734,414).

Regarding **claim 12**, the Terane reference teaches a digital camera system in which a digital camera is connected to communicate with external equipment (i.e. a PC) when the camera is mounted on a cradle (stand 18), wherein the function, or operation mode, of the digital camera is changed based on the orientation of the digital camera in the cradle, and the digital camera changes functions for the external equipment according to a function change signal (See Col. 22, Line 29 – Col. 24, Line 49). The Terane reference, though, only discloses a rotating device (rotating table 103) for changing the orientation of the digital camera on the cradle. What Terane does not show is a tilt angle changing device for changing the tilt angle of the digital camera mounted on the cradle, and a determination device which determines a change in the tilt angle of the digital camera by the tilt angle changing device. However, the Nishimura reference discloses a tilt angle changing device (lens block holding member 711, tilt motor 712, and tilt drive transmission gear 713) that changes the tilt angle of a camera, a determination device (tilt sensor 714) which determines a change in the tilt angle of the digital camera by the tilt angle changing device,

Art Unit: 2622

and a command device (main control part 734) which outputs a function change signal (i.e. document pick-up position or pick-up of a personal subject) to the digital camera according to the determination result (or tilt angle) of the determination device (tilt sensor 714). See Figs. 3a and 5, and Col. 7, Lines 24-50. It would have been obvious to one of ordinary skill in that art to have incorporated the tilt angle changing of Nishimura with the camera orientation changing of Terane. One would have been motivated to do so because by changing the tilt angle of the digital camera in the mounting device, one could effectively change which side of the camera faces forward, thus accomplishing the same result of the rotation angle change, as done by Terane. By knowing the orientation of the camera sides, the appropriate camera modes can be correctly determined.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okuley et al. (U.S. Pat. 6,572,282)

Nagaoka (U.S. Pat. 6,734,915)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
July 28, 2006

A handwritten signature in black ink, appearing to read 'David Ometz', with a long horizontal line extending to the right.

DAVID OMETZ
SUPERVISORY PATENT EXAMINER